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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,776	05/09/2001	Michael S. Steele	ISAA0013	5228
22862	7590	07/30/2004	EXAMINER	
GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025			HAILU, TADESSE	
			ART UNIT	PAPER NUMBER
			2173	9

DATE MAILED: 07/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/852,776

Applicant(s)

STEELE ET AL. *gr*

Examiner

Tadesse Hailu

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the Applicant's *declaration of prior invention* entered on April 1, 2004.
2. Based on the submission of *declaration of prior invention* by the applicant, the previous Office action is withdrawn and a new Office action is presented herewith.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 3, 4, 6, 7, and 9-15 are rejected under 35 U.S.C. 102(a) as being anticipated by Ron R. Hightower et al, "Graphical Multi-scale Web Histories: A Study of PadPrints, ACM HYPERTEXT'98 Conference, Pittsburgh, June 20-24, 1998.

With regard to claim 3:

Hightower discloses a graphical display method of large numbers of nodes within limited display. Hightower further discloses providing a strategy view (see the graphical history-map Figs 6 and 7).

As illustrated in the right hierarchy of Fig. 6, the method also includes if a portion of said strategy is not currently important or not being viewed, it has no effect on layout of a visible portion of said strategy (see Future direction, Figs. 6 and 7, page 2, A Zooming Graphical History section).

The method further includes that said strategy layout is dynamic (scaled by itself) and adaptable to a current portion of said strategy being viewed (see Abstract, Future direction, Figs. 6 and 7, page 2, A Zooming Graphical History section).

The method further includes that by selecting/focusing a node a user may view, in its entirety, a portion of said strategy on which said user currently wants to concentrate (see Future direction, Figs. 6 and 7, page 2, A Zooming Graphical History section).

With regard to claim 4:

Hightower discloses a graphical display method of large numbers of nodes within limited display. Hightower further discloses providing a strategy view (see the graphical history-map Figs 6 and 7).

The method also includes defining a single segment of said strategy as a focal point of said display. As illustrated in Figs. 6 and 7, the nodes in these Figs are selectable and gets into focus the unwanted portion loses focus, that is displaying segments with less detail the farther away they are from said focal point (see Future direction, Figs. 6 and 7, page 2, A Zooming Graphical History section).

With regard to claim 6:

Hightower discloses a graphical display method of large numbers of nodes within limited display. Hightower further discloses providing a strategy view (see the graphical history-map Figs 6 and 7).

As illustrated in Fig. 6 and 7, user just jumps or selects the desire node to view without having to scroll up and down (see Future direction, Navigating With PadPrints).

With regard to claim 7:

Hightower discloses a graphical display method of large numbers of nodes within limited display. Hightower further discloses providing a strategy view (see the graphical history-map Figs 6 and 7).

The method also includes selecting any segment makes that segment a focal point (see Future direction, Navigating With PadPrints).

The method further discloses that selecting any element in a link or path (decision path) makes a corresponding segment the focal point (see Future direction, Figs. 6 and 7, page 2, A Zooming Graphical History section).

With regard to claim 9:

Hightower discloses a graphical display method of large numbers of nodes within limited display. Hightower further discloses providing a strategy view (see the graphical history-map Figs 6 and 7).

Hightower further discloses using available display space to provide extra context for a focus node (Fig. 1); eliminating redundant information; and rendering information as compactly as possible (see Fig. 7, A Zooming graphical History section). As illustrated in Fig. 1, other context for a focus node is shown.

Hightower further discloses selecting, viewing or rendering a desired node, wherein all nodes are viewable in the limited display area (see Future direction, Figs. 6 and 7, page 2, A Zooming Graphical History section).

With regard to claim 10:

Hightower further discloses that the widths of nodes and levels are only wide

enough to fit a widest label (Fig. 7). As shown in Fig. 7, the title/label fits within the node (see Fig. 7).

With regard to claim 11:

Hightower discloses a graphical display method of large numbers of nodes within limited display. Hightower further discloses providing a strategy view (see the graphical history-map Figs 6 and 7).

As illustrated in Figs. 6 and 7, Hightower further discloses maintaining a consistent top of the strategy-children orientation (see Figs. 6 and 7).

Furthermore, as illustrated in the Figs. a top of the strategy is always at a center, left most portion of said display (Figs. 6 and 7).

With regard to claim 12:

Hightower discloses a graphical display of large numbers of nodes within limited display. Hightower discloses providing a strategy view (see the graphical history-map Figs 6 and 7).

Hightower further discloses fitting said display into a rectangular view; wherein said strategy layout is dynamic and adaptable to a current portion of said strategy being viewed (Abstract, Future direction, Navigating With PadPrints).

With regard to claim 13:

Hightower discloses a graphical display of large numbers of nodes within limited display. Hightower discloses providing a strategy view (see the graphical history-map Figs. 6 and 7).

Hightower further discloses rendering a large numbers of nodes, wherein every node is within the view of the display (see Future direction, Navigating With PadPrints).

With regard to claim 14:

Hightower discloses a graphical display of large numbers of nodes within limited display. Hightower discloses providing a strategy view (see the graphical history-map Figs. 6 and 7).

Hightower also discloses selecting a portion of said strategy (see Fig. 6) to display by choosing a branch of said strategy view to display and optionally how many levels of said branch to display (see Future direction, Figs. 6 and 7, page 2, A Zooming Graphical History section).

With regard to claim 15:

As illustrated in Figs. 6 and 7, Hightower further discloses scaled down nodes or segment displayed in their entirety (see Figs. 6 and 7).

4. Claim 8 is rejected under 35 U.S.C. 102(a) as being anticipated by Benjamin B. Bederson, et al, "A zooming Web Browser"(1997).

With regard to claim 8:

Benjamin B. Bederson, et al (Bederson) discloses a method for the efficient display of large nodes (strategies). Bederson further discloses interactive multi-scale display with dynamic objects that can restructure themselves. The restructuring process is animated and providing a navigational cues so that users can understand how the tree is being reorganized (see Bederson, A Zooming Web Browser, section 2).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ron R. Hightower et al, "Graphical Multi-scale Web Histories: A Study of PadPrints, ACM HYPERTEXT'98 Conference, Pittsburgh, June 20-24, 1998 in view of Admitted Prior Art (Fig. 1).

With regard to claim 1:

Ron R. Hightower et al (Hightower) relates to a system (method and apparatus) for providing graph structures, layout and graphical display of large numbers of nodes within limited display. Hightower discloses a system (method and apparatus) that dynamically builds a graphical history-map (strategy view) of visited web pages. Hightower further discloses a method for the efficient display of large strategies (Fig. 6). The method (algorithm) provides a fisheye view of a tree, wherein a plurality of nodes in the history-map is displayed at different sizes (see Future direction, Fig. 6).

The method also includes among other things displaying in a strategy view an on screen part of a strategy that is not affected by an off screen part of said strategy (see Future direction, Figs. 6 and 7);

The method also includes showing detail in said display where it is important. As illustrated in Figs. 6 and 7, the important node gets focus, the rest of the nodes are different in smaller size (see Future direction, page 2, A Zooming Graphical History section, Figs. 6 and 7).

The method also includes providing said display without scroll bars. As illustrated in Fig 6 and 7, user just jumps or clicks the desire node to view without having to scroll up and down (see Future direction, Navigating With PadPrints).

The method also includes providing navigational shortcuts for traversing said strategy view. As illustrated in Fig. 7, the visual clues (the title on each node) will help user to directly jump to the desired node (see Future direction, page 2, A Zooming Graphical History section).

Again, the method also includes providing navigational cues in said display, wherein such cues could be designated by title (Fig. 7).

The method also includes fitting as much information on said display as possible. As illustrated in Figs. 6 and 7, if the graphical history-map (strategy view) exceeds the size of the display, the map will be scaled to fit with the size of the display (see Future direction, Figs. 6 and 7, page 2, A Zooming Graphical History section).

The method further discloses maintaining a consistent top of the strategy-children orientation in said display. As illustrated in Figs. 6 and 7, especially the hierarchy on the right maintains top of the hierarchy in similar size (of Fig. 6) scaled of (see Future direction, Figs. 6 and 7, page 2, A Zooming Graphical History section).

Furthermore, as shown in each of display of a graphical history-map (strategy view) (Figs 6 and 7), the display fits into a rectangular view (see Figs. 6 and 7, page 2, A Zooming Graphical History section).

Lastly the method further includes rendering all strategies. User browses (select and view) each node (web page) displayed (see Figs. 6 and 7, page 2, A Zooming Graphical History section).

While Hightower discloses a displayed link or path between two nodes (strategies), but Hightower fails to disclose "always showing a condition path in said display." The Admitted Prior Art, however, discloses a condition path (Fig. 1, paragraph 0015).

The Admitted Prior Art and Hightower are from the same field of endeavor, that is, viewing large image on the display.

Thus, at the time the invention was made it would have been obvious to modify the link or path of Hightower with a condition path of the admitted prior art because as a user navigates from one node (web page) to another node he/she may be able to know where he/she is in the map (strategies) or how many links away from a target node (web page).

The suggestion/motivation for doing so would have been to enable user to visualize the interaction with the displayed nodes (or web pages) in the map (Hightower, Abstract). Therefore, it would have been obvious to combine the Admitted Prior Art with Hightower to obtain the invention as specified in claim 1.

With regard to claim 2:

Independent 2 is rejected for reasons similar to those given for the rejection of claim 1.

With regard to claim 5:

Hightower in view of the admitted prior art further discloses providing a strategy (see the graphical history-map Figs. 6 and 7).

The method also includes providing a strategy view display of said strategy see the graphical history-map Figs. 6 and 7).

But the method of Hightower fails to show a condition path, as a result "always displaying a set of conditions needed to reach a single segment currently selected as a focal point." However, the admitted prior art (Fig. 1) illustrates this shortcoming.

The Admitted Prior Art and Hightower are from the same field of endeavor, that is, viewing large image on the display.

Thus, at the time the invention was made it would have been obvious to modify the link or path of Hightower with a condition path of The admitted prior art because as a user navigates from one node (web page) to another node he/she may be able to know where he/she is the strategies or how many links away from a target node (web page).

The suggestion/motivation for doing so would have been to enable user to visualize the interaction with the displayed nodes (or web pages) in the map (Hightower, Abstract). Therefore, it would have been obvious to combine the Admitted Prior Art with Hightower to obtain the invention as specified in claim 5.

Conclusion

6. Since the submitted *declaration of prior invention* is after the first Office action, thus, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

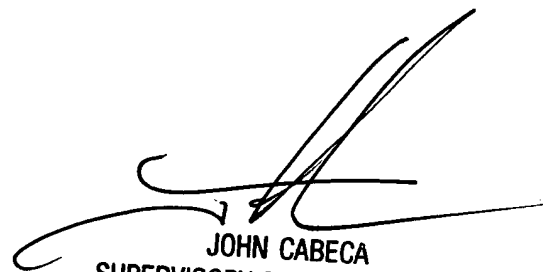
7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (703) 306-2799. The Examiner can normally be reached on M-F from 10:00 - 6:30 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, John Cabeca, can be reached at (703) 308-3116 Art Unit 2173 CPK 2-4A51.

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8. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Tadesse Hailu
June 23, 2004



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100